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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,118	12/22/2000	Benjamin N. Eldridge	P3D5-US	3104

7590 05/21/2002
FormFactor, Inc.
Legal Department
5666 La Ribera Street
Livermore, CA 94550

EXAMINER

ALCALA, JOSE H

ART UNIT	PAPER NUMBER
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2827

DATE MAILED: 05/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,118

Applicant(s)

ELDRIDGE ET AL.

Examiner

Jose H Alcalá

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 60-68 and 347-361 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 60-68, 347-361 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. This application contains claims drawn to a plurality of disclosed patentably distinct species comprising the following:

Please elect one option from the list of contact configurations (species labeled with a letter) and one option from the list of mounting configurations (species labeled with a number), e.g. Species 3c.

Contact Configuration Species:

- a) as shown in Figure 2A
- b) as shown in Figure 2B
- c) as shown in Figure 2C
- d) as shown in Figure 2D
- e) as shown in Figure 2E
- f) as shown in Figure 2F
- g) as shown in Figure 2G
- h) as shown in Figure 2H
- i) as shown in Figure 12F
- j) as shown in Figure 24A
- k) as shown in Figure 24B
- l) as shown in Figure 38A
- m) as shown in Figure 40A
- n) as shown in Figure 40B
- o) as shown in Figure 42B
- p) as shown in Figure 45

Mounting Configuration Species

- 1) as shown in Figures 1A-1E
- 2) as shown in Figure 1F
- 3) as shown in Figure 5
- 4) as shown in Figure 5A
- 5) as shown in Figure 5B
- 6) as shown in Figure 5C
- 7) as shown in Figure 5D
- 8) as shown in Figure 5E
- 9) as shown in Figure 5F

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- 10) as shown in Figure 5H
- 11) as shown in Figure 5I
- 12) as shown in Figures 6A-B, 7A-C,
- 13) as shown in Figure 6C
- 14) as shown in Figures 8A-B
- 15) as shown in Figures 8C-D
- 16) as shown in Figures 9A-B
- 17) as shown in Figures 10H-I
- 18) as shown in Figures 10J-K
- 19) as shown in Figure 12D
- 20) as shown in Figure 12E
- 21) as shown in Figure 14G
- 22) as shown in Figure 15A
- 23) as shown in Figure 16C
- 24) as shown in Figure 16F
- 25) as shown in Figure 17A
- 26) as shown in Figure 17B
- 27) as shown in Figure 17C
- 28) as shown in Figure 17D
- 29) as shown in Figure 17E
- 30) as shown in Figure 18B
- 31) as shown in Figure 19B
- 32) as shown in Figure 20B
- 33) as shown in Figure 21
- 34) as shown in Figure 22C
- 35) as shown in Figure 22F
- 36) as shown in Figures 23A-C
- 37) as shown in Figure 24A
- 38) as shown in Figure 24D
- 39) as shown in Figure 25
- 40) as shown in Figures 26-27
- 41) as shown in Figure 28
- 42) as shown in Figure 29
- 43) as shown in Figure 30
- 44) as shown in Figure 31
- 45) as shown in Figure 32
- 46) as shown in Figure 33
- 47) as shown in Figure 34
- 48) as shown in Figure 35
- 49) as shown in Figure 36
- 50) as shown in Figure 37
- 51) as shown in Figure 38
- 52) as shown in Figure 39
- 53) as shown in Figure 44

54) as shown in Figure 50A
55) as shown in Figure 50B
56) as shown in Figure 51A
57) as shown in Figure 51B
58) as shown in Figure 53B
59) as shown in Figure 54

2. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, even though this is traversed.
3. Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C 103(a) of the other invention.
4. Given the complexity of the requirement, a telephone election was not sought by examiner.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR. 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jose H Alcala whose telephone number is (703) 305-9844. The examiner can normally be reached on Monday to Friday.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Talbott can be reached on (703) 305-9883. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

JHA
May 17, 2002



KAMAND CUNEO
PRIMARY EXAMINER